

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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KERRY PULLIAM,

Plaintiff,

07-CV-1243
(SJF)(AKT)

-against-

OPINION & ORDER

SUFFOLK COUNTY POLICE DEPARTMENT, and
SUFFOLK COUNTY POLICE DEPARTMENT
DETECTIVES "JOHN DOES" No. 1-4, in their
individual and/or official capacities,

Defendants.

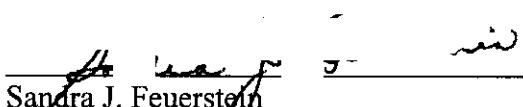
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FEUERSTEIN, J.

On March 21, 2007, *pro se* plaintiff Kerry Pulliam (plaintiff) filed a complaint against the Suffolk County Police Department (SCPD) pursuant to 42 U.S.C. § 1983. By order dated April 19, 2007, I granted plaintiff's application to proceed in forma pauperis and sua sponte dismissed the complaint for failure to state a claim against the SCPD with leave to file an amended complaint within thirty (30) days. On May 10, 2007, plaintiff timely filed an amended complaint against four (4) "John Doe" SCPD Detectives, in their individual and/or official capacities, alleging, *inter alia*, that on or about January 20, 2007, those four (4) unidentified detectives assaulted him during an interrogation while he was in custody and restrained, in violation of his constitutional rights. (Amended Complaint [Compl., ¶ 5]).

In light of plaintiff's failure to adequately plead a valid claim against the SCPD in accordance with the prior order, plaintiff's claims against the SCPD are dismissed with prejudice. The caption of this case shall be amended accordingly. However, plaintiff arguably

states a valid claim pursuant to section 1983 as against the "John Doe" defendants. Accordingly, the United States Marshals Service is directed to personally serve a summons and a copy of plaintiff's amended complaint on each of the remaining defendants.

SO ORDERED.


Sandra J. Feuerstein
United States District Judge

Dated: June 19, 2007
Central Islip, New York

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